SEP 0 2 2005

# **McDermott** Will&Emery<sub>llP</sub>

Boston Brussels Chicago Düsseldorf London Los Angeles Miami Milan Munich New York Orange County Rome San Diego Silicon Valley Washington, D.C.

FACSIMILE

Date:

September 2, 2005

Time Sent:

To:

Examiner Mohammad A.

Siddigi

Сотраду:

U.S. Patent and Trademark Office

Facsimile No: 1.571.273.8300

Telephone No: 1.571.272.1757

From:

Toby H. Kusmer

Direct Phone:

617.535.4065

E-Mail:

tkusmer@mwe.com

Sent By:

Cynthia Joseph

Direct Phone:

617.535.4111

Client/Matter/Tkpr:

Original to Follow by Mail:

No

57622-038/5496

Number of Pages, Including Cover:

3

Re:

In re Application of: John A. Kroeker, et al.

Serial No.: 09/815,726

Filing Date: March 23, 2001

Title: Web-Based Speech Recognition With Scripting And Semantic Objects

Docket No.: 57622-038 (ELZ-4)

Art Unit No.: 2154

## Message:

Please enter the following Supplemental Response in response to the Office Action of March 2, 2005.

The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copy of this facsimile is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone and return the original message to us at the below address by mail. Thank you.

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL AS SOON AS POSSIBLE.

Main Facsimile: 617.535.3800

Facsimile Operator: 617.535.4000

28 State Street

U.S. practice conducted through McDermott Will & Emery LLP. Boston, Massachusetts 02109-1775

Telephone: 617.535.4000

# RECEIVED CENTRAL FAX CENTER

# SEP 0 2 2005

**PATENT** 

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John Kroeker, et al.

Title:

Web-Based Speech Recognition With Scripting

And Semantic Objects

Serial No.:

09/815,726

Filing Date:

March 23, 2001

Group Art Unit:

2154

Examiner:

Mohammad A. Siddiqi

Docket Number:

57622-038 (ELZ-4)

MAIL STOP Fee Amendment Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

#### SUPPLEMENTAL RESPONSE

Applicants transmit herewith the following documents in response to the Office Action dated March 2, 2005 in the above-identified application:

Terminal Disclaimer To Obviate A Provisional Double Patenting Rejection Over A Pending Second Application.

If any fees are required, the Commissioner is authorized to charge the amount, or credit any overpayment, to Deposit Account No. 50-1133. A duplicate of this letter is enclosed to facilitate this.

Respectfully submitted,

Toby H. Kusmer, P.C.

Reg. No. 26,418

McDermott Will & Emery LLP

28 State Street

Boston, MA 02109-1775

Telephone: (617) 535-4065 Facsimile: (617) 535-3800 E-mail: tkusmer@mwe.com

### CERTIFICATE OF MAILING UNDER 37 U.S.C. § 1.8

I hereby certify that this correspondence is being facsimile transmitted by Facsimile No. 571.273.8300 to Group Art Unit 2154 of the United States Patent and Trademark Office on the date indicated below.

September 2 2005